

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

Nashville District; Eastern Regulatory Field Office

FILE NUMBER:

2004-01989

REGULATORY PROJECT MANAGER:

Ken M Jones

Date: October 27, 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (N)

Date: NA

At the project site (Y)

Date: October 27, 2004

PROJECT LOCATION INFORMATION:

State:

Tennessee

County:

Knox

Center coordinates of site by latitude & longitudinal coordinates:

N 36d 04' 35.51"

W 83d 50' 35.73"

Approximate size of site/property (including uplands & in acres):

25.98 Acres

Name of waterway or watershed:

Murphy Crk watershed (Tennessee

River)

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream								1500	
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			Yes		
Is or would be used as habitat by other migratory birds that cross state lines?			Yes		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?		X			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary Or Approved Yes.

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

1. The site is 25.98 acres and proposed for a housing subdivision. Currently this land is wooded.
2. No wetland on site. TDEC/WPC has identified channel as an intermittent stream. Channel has bed and bank, and showed defined high water mark.
3. All water leaves the site through one channel. After leaving site, all the water enters a sinkhole.
4. No other waters of the U.S. are on site.